

## **MINUTES OF MEETING NORTH SPRINGS IMPROVEMENT DISTRICT**

The regular meeting of the Board of Supervisors of the North Springs Improvement District was held Wednesday, March 6, 2013 at 5:00 p.m. in the district office, 9700 N.W. 52<sup>nd</sup> Street, Coral Springs, Florida.

Present and constituting a quorum were:

David Gray	President
Vincent Morretti	Secretary
Mark Capwell	Assistant Secretary

Also present were:

Doug Hyche	District Manager
Susan Delegal	District Counsel
Rod Colon	Director of Operations
Brenda Schurz	District Clerk
Donna Holiday	GMS-South Florida, LLC
Stuart Krantz	Resident

### **FIRST ORDER OF BUSINESS**

#### **Roll Call**

Mr. Hyche called the meeting to order at 5:00 p.m.

### **SECOND ORDER OF BUSINESS**

#### **Approval of the Minutes of the February 6, 2013 Meeting**

Mr. Hyche stated the next item is approval of the minutes of the February 6, 2013 meeting.

On MOTION by Mr. Gray seconded by Mr. Morretti with all in favor the minutes of the February 6, 2013 meeting were approved as presented.
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**THIRD ORDER OF BUSINESS**

**Staff Reports**

**A. Manager**

**I. Consideration of Proposals to Remove Trees and Vegetation Along Sawgrass Expressway from Coral Springs Drive to Coral Ridge Drive**

Mr. Hyche stated the next item is consideration of proposals to remove trees and vegetation along Sawgrass Expressway from Coral Springs Drive to Coral Ridge Drive. We have handed out some backup information with pictures of the area.

Mr. Gray asked is the school requesting this?

Mr. Hyche responded the school has requested it, we have had residents request this and Mr. Krantz is here to speak on it. We could use this for our canal access.

Mr. Gray stated it has not changed a lot in recent years; it has been there a long time.

Mr. Hyche stated it has.

Mr. Gray stated my concern is if I do it in one section why shouldn't I do it everywhere and if I did it everywhere it would cost a fortune.

Mr. Hyche stated this is the Marjory Stoneman Douglas High School, the advocate environmentalist of Florida and we were requested to take a very close look at this by the school board and by residents.

Mr. Gray asked again if another neighborhood wants something done and we do this what is to say that we don't have to continue it on every canal we have built?

Mr. Colon stated in this particular area we also have an erosion issue. The DOT is doing some work just up the road from the school and we are going to try to have DOT address the erosion issues. The major difference between this and other neighborhoods where it is someone's backyard this is a canal that is on the Sawgrass Expressway and that would be a little different from someone's neighborhood such as Pine Tree Estates.

Mr. Hyche stated Jane Early and I have been in contact with Fred Gaines of DOT and they are going to be doing a project just south of the Marjory Stoneman Douglas High School that starts in June and they have assured us that once we remove the exotics they will take a look at our canal bank erosion.

Mr. Gray asked if we do this they will take a look at the canal bank?

Mr. Hyche responded yes.

Mr. Colon stated if there were a hurricane that came through as Wilma did there were a lot of trees that went into the canals and damaged the canal banks. We want to do the repairs now so we won't have to deal with it in the future if we have a big storm.

Mr. Hyche stated I talked to Mr. Bays, the maintenance director at the high school and they will maintain to the water's edge on that side once it is cleared. They are going to mow the bank.

Mr. Krantz read the following letter into the record.

Regarding the invasive species encroaching on the southern border of Marjory Stoneman Douglas High School and also bordering the northern bank of an east/west canal administered by the NSID (it begins at Pine Island Road north of the Sawgrass Expressway).

First, I want to commend Mr. Doug Hyche for responding quickly to this issue. I couldn't have asked for a more cooperative attitude. But we here, know it's not as easy as my message said from the Broward County School Board (no further efforts are required). First, Mr. Hyche has to get your permission and then find the money. Money is not easily found in the State of Florida these days.

In my hand are my communications with, to and about the NSID since February 8, 2013. It's 1/8 of an inch thick. They run the gamut of the NSID, the School Board, the SFWMD and Florida's Turnpike Enterprises.

Regardless of the problems concerning this invasive species removal, I come before you today to ask you to meet these responsibilities head-on. It's not the responsibilities of simple water management it's the responsibility we have as good citizens to demonstrate the proper respect to the great Marjory Stoneman Douglas. A demonstration of this respect that will be seen by the children who attend the high school named after Marjory. To the students we have the responsibility of doing the right thing and demonstrating to them how to respect one of the greatest citizens Florida ever experienced.

Let's not forget the Comprehensive Central Everglades Planning Project is in full swing. That project will include much needed invasive species removal. In order to protect that removal we must top the reseeding of invasives. The NSID of which the involved area is only approximate two linear miles from the eastern levee of the Central Everglades ecosystem has a responsibility to the State of Florida and the nation not to add to the pollution of the Everglades ecosystem, a world heritage site.

Please do the right thing and demonstrate the proper respect for Marjory Stoneman Douglas and stop the reseeding of NSID invasives into the Everglades ecosystem by removing the involved invasives and keeping them from returning to Marjory's so named school.

Mr. Gray stated I see removal but I don't see anything on the proposal that dealt with the areas that were left after the removal. You would have dirt sitting there and in a heavy rain you are going to lose it and lose the edge of the embankment as well. What are we going to do for that?

Mr. Colon responded we are going to try to get DOT to repair it. I know we are bringing up an environmental viewpoint on invasives but this is more of a bank erosion issue. You can't repair the canal bank without removing the exotics. It would help their cause but this is an erosion issue we are trying to get DOT to fix. DOT doesn't want to remove the exotics this is something the district would do and we would try to get them to come in and do the repairs to the canal banks, structural fill. There are other methods they could possibly use but I think that is going to be the solution.

Mr. Gray stated my concern is that once we remove it you are left with a lot of topsoil sitting there.

Mr. Hyche stated we aren't going to remove the roots. The root system will still be there to hold what is left all we are going to do is spray the roots so they don't continue to grow.

Mr. Gray stated I thought the proposals were for tree and hedge removal.

Mr. Hyche stated it is to flush cut and spray. We aren't going to tear out any root system.

Mr. Morretti stated it sounds like perfect timing if DOT is right around the corner.

On MOTION by Mr. Gray seconded by Mr. Morretti with all in favor the removal of invasive trees and vegetation along the Sawgrass Expressway canal bank from Coral Springs Drive to Coral Ridge Drive was approved.

On MOTION by Mr. Gray seconded by Mr. Morretti with all in favor the proposal from Ruzzano Construction, Inc. for the above referenced project was approved in the amount of their low proposal of \$82,200.

**II. Rescind Approval of Change Order No. 2 to Consultant Agreement No. 2011-01 for a Net Increase in the Lump Sum Amount of \$14,700**

Mr. Hyche stated the next item is to rescind approval of change order no. 2 to the consultant agreement no. 2011-01 for a net increase in the lump sum amount of \$14,700. This is the change order you approved last month for Unger Engineering as a consultant to Leigh Robinson Kerr. We realized it exceeded the scope and we decided to have Mr. Unger bill us just for that work that he has done in reference to the Large User Agreement and the Wedge area.

On MOTION by Mr. Gray seconded by Mr. Morretti with all in favor approval of change order no. 2 to consultant agreement no. 2011-01 for a net increase of \$14,700 was rescinded.

**III. Approval to Purchase XPR550 UHF Mobil UHF – Two Way Radio for Hurricane, Emergencies and/or Loss of Communication**

Mr. Hyche stated item three is approval to purchase the XPR550 UHF Mobil UHF two way radio for hurricane, emergencies and/or loss of communication.

Mr. Colon stated right now the district doesn't really have a radio communication system on its own; the frequency is actually with the Coral Springs Improvement District. In order for us to have our own radio communication we have to give their equipment back, which is a repeater sitting in the other room. This is for us to have radio communication during times of emergency. As you know sometimes you lose cell phone usage so the cell phones we issued to our employees will be inoperable during times of emergencies. This will enable us to have emergency communication with our staff in the field and enable us to have our own FCC frequency that we don't currently have now.

Mr. Gray asked the proposal is the system and specs and this will replace an existing one we have from CSID?

Mr. Colon responded this is to give back CSID's property and for us to get our own FCC signal.

Mr. Capwell asked will this reach the substation?

Mr. Colon stated we have an antenna here on top of the silo that we will use and it gives us about a five mile radius, which is what the district needs. This is a frequency, we will have our own repeater here, we already have an antenna. This is to put mountable units inside the vehicles and have a couple of hand helds for employees.

Mr. Capwell asked what about the substation?

Mr. Colon responded it has a five mile radius.

Mr. Capwell stated I wanted to make sure it will cover the entire district.

Mr. Colon stated it will.

On MOTION by Mr. Gray seconded by Mr. Capwell with all in favor the purchase of the XPR550 UHF two way radio in the amount of \$256,316.25 was approved.
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**IV. Approval to Prepare Notice to Terminate Interlocal Agreement with the Coral Spring Improvement District on April 1, 2013 to be Effective October 1, 2013**

Mr. Hyche stated the next item is to prepare a notice to terminate an interlocal agreement with the Coral Springs Improvement District on April 1, 2013 to be effective October 1, 2013.

Mr. Colon stated as you know we have an interlocal agreement with CSID to provide utility billing services. We are almost 100% complete for our own utility billing software and our employees are just about trained on everything. We will be ready to go even before October 1<sup>st</sup> but just to be friendly with their budget we would like to prepare a notice. Based on the interlocal agreement we need to give 120 days notice that we are going to be pulling out of the interlocal agreement. We are asking for board

approval to send the letter on April 1<sup>st</sup> advising them we are going to terminate and not renew and take over our own services on October 1<sup>st</sup>.

On MOTION by Mr. Gray seconded by Mr. Capwell with all in favor notice to terminate the interlocal agreement with Coral Springs Improvement District to be effective October 1, 2013 was approved.

**V. Approval of Early Termination of the Accounting Portion of the Management Agreement with Governmental Management Services Effective April 1, 2013**

Mr. Hyche stated item five is approval of early termination of the accounting portion of the management agreement with Governmental Management Services effective April 1, 2013.

Mr. Colon stated our accounting staff is ready to take over accounting services. To add to that GMS no longer wants to do our accounting services so it is actually a mutual decision between us and the contractor. Our staff is more than able to perform the services and they have the proper equipment and the means and training so we are very satisfied that they are able to do the service and we would still have GMS as a consultant. They just wouldn't be doing the accounting.

Mr. Hyche stated they would still be doing the assessments and the meeting minutes.

On MOTION by Mr. Gray seconded by Mr. Morretti with all in favor early termination of the accounting portion of the management agreement with Governmental Management Services to be effective April 1, 2013 was approved.

**B. Attorney**



Ms. Delegal stated Dennis had advised you that there was going to be a hearing on the motion to dismiss the complaint that Broward County filed against NSID over the Large User Agreement and the Wedge. It was to have been held on February 7<sup>th</sup> and is now scheduled for March 12, at 2:00 p.m. so at our next meeting we will be able to report the results of that if the court has ruled.

**C. Engineer**

**I. Consideration of Change Order No. 8 and Final for Project No. 406209 Water Treatment Plant Chemical Building Feed System Improvements for a Net Deduction in the amount of \$44,039**

Mr. Hyche stated the next item is consideration of change order no. 8 and final for project no. 406209 water treatment plant chemical building feed system improvements for a net deduction of \$44,039.

Mr. Colon stated this has to do with the vacuum system that never worked and we are deducting it from the contract.

On MOTION by Mr. Gray seconded by Mr. Morretti with all in favor change order no. 8 and final with Century Building Restoration USA, Inc. for the water treatment plant chemical building feed system improvements for a net deduction of \$44,039 was approved.

**II. Project Status Report**

A copy of the project status report was included as part of the agenda package.

**FOURTH ORDER OF BUSINESS**

**Supervisors Requests and Audience Comments – Discussion of Electronic vs Paper Agendas**

Mr. Hyche stated this is to elaborate on the iPads that Mark brought up at the last meeting. There is a packet of information in front of you.

Mr. Gray stated we were waiting on the legal ramifications of its use. Mr. Lyles said that there were potential issues. Can we get a list of those potential issues?

Ms. Schurz stated we actually had a call with Dennis prior to the agenda going out and we would roll out a policy that you would sign before we actually start to use them. There are restrictions but neither Dennis or we see it as a problem.

Ms. Delegal stated there will be things that you have to do as far as maintenance of documentation, separation of private from public documents on your accounts, just some things to put in place but it is permissible to do so and Dennis is going to work with you on that policy.

Mr. Colon stated we have email addresses for each board member and if you have the iPad you can keep your business emails from the district separate from your personal emails. Whereas if you are using personal emails to send business related emails to the district then all of your email files would be public record. This way you can separate your business from your personal emails.

Ms. Schurz stated I would like to direction to move forward or not move forward.

Mr. Gray stated it doesn't list yearly cost but it does say you are recommending a cost savings.

Mr. Hyche stated we did a cost estimate on this for a one time purchase of \$2,040 for the iPads and currently we pay \$4,340 annually for printing and binding.

Mr. Gray asked how much is the purchase of the iPads?

Ms. Schurz stated the average municipality uses a 16 GB. It would just be the purchase and not a monthly plan we would use wifi.

Mr. Gray stated we would buy it outright for \$459 and there is no monthly fee and you already have it in your system and you email it.

Mr. Colon stated we can collect the iPads from you and upload the agenda into iBooks and you open it as a PDF file and we can bookmark certain pages or we can

email it to you and you download it as a PDF. You need to be on a wifi connection and you can download it yourself.

Mr. Gray stated so you are basically sending an email. I have wifi in my house.

Mr. Colon stated you just have to be technically savvy to save it into iBooks and we can do the bookmarks here so you can open it up in certain areas.

Mr. Morretti asked would we get the iPads in advance of the meetings like we do the packages if you uploaded them here and they will be brought to us like the package was?

Mr. Colon stated we were thinking of emailing it to your district email address and if you are at home with a wifi connection you would be able to download it into iBooks. The other option is to drop it off here and we could upload it for you.

Mr. Gray stated wifi works if there is no problem with the way the information is transmitted legally.

Mr. Colon stated we have a government account with Apple and we can call and see what kind of deal we can get with the one that just came out.

Ms. Schurz stated we only got the one quote from AT&T and we can go to Apple direct and see if we can get it for less.

Mr. Gray stated if you are talking about not having to do any more work than you do prior to the purchase you already have it in the computer and send it as an email so your cost on a monthly basis is almost zero. How many are you purchasing?

Mr. Hyche stated I have my own iPad and Rod has an iPad so you won't be purchasing one for us.

Ms. Delegal stated Dennis has his own.

Mr. Hyche stated we would have to purchase one for Brenda and one for you three.

Mr. Gray asked currently we are paying \$300+ a month?

Ms. Schurz stated the printing alone is between \$150 and \$175 then the materials, the gas.

On MOTION by Mr. Gray seconded by Mr. Capwell with all in favor staff was authorized to proceed and get the best price for the iPads and to work with Mr. Lyles to prepare a policy for use.

**FIFTH ORDER OF BUSINESS**

**Approval of Financials and Check Registers**

Mr. Hyche stated the next item is approval of financials and check registers.

On MOTION by Mr. Gray seconded by Mr. Morretti with all in favor the financials and check registers were approved.

On MOTION by Mr. Gray seconded by Mr. Morretti with all in favor the meeting adjourned at 5:25 p.m.

The meeting was reconvened at 5:30 p.m.

Ms. Delegal stated there was an item that didn't come to the attention of the board, the meeting was adjourned at 5:25 p.m. and before anyone at the meeting left the room we realized there was another item to be brought to the attention of the board so we will reconvene the meeting for the purpose of doing one additional piece of business. The record will reflect that all members of the public, anyone who would have had an opportunity to be at the meeting before it was adjourned is here, no one has left the meeting.

Mr. Hyche stated I would like to bring up the acquisition agreement that Rod worked on with Lennar.

Mr. Colon stated the acquisition agreement involves Lennar doing some work with regard to Nob Hill Road for infrastructure they are putting in between County Line Road and Lox Road for water mains, force mains and reuse pipe. Lennar is actually putting the infrastructure in and at a later time the district will issue a special assessment bond to repay the developer for the infrastructure very similar to what we have done with WCI and other developers and very similar to what we have done this past year with the rest of Nob Hill Road. The only difference is this is a developer run project where they are putting in the infrastructure with a contractor. As a safeguard we had two independent engineers give estimates as to the cost to make sure the district is acquiring the infrastructure at a good price and at a fair market value and that seems to concur with the pricing of the developer's contractor.

Mr. Gray stated it is the standard acquisition agreement we have done.

Mr. Colon responded that is correct and the developer is pledging his property for a special assessment bond. I believe we stated that it was our counsel who worked on the agreement.

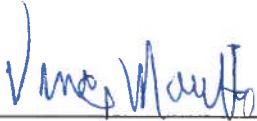
Ms. Delegal stated I'm familiar with these types of documents in connection with prior transactions and without scrutinizing the document it looks like what we always prepare in connection with these transactions.

On MOTION by Mr. Gray seconded by Mr. Morretti with all in favor the acquisition agreement with Lennar for infrastructure on Nob Hill Road between County Line Road and Lox Road was approved.

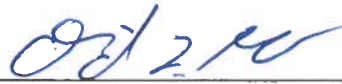
On MOTION by Mr. Gray seconded by Mr. Morretti with all in favor the meeting adjourned at 5:35 p.m.

March 6, 2013

North Springs Improvement District

A handwritten signature in blue ink, appearing to read "Vincent Morretti", written above a horizontal line.

Vincent Morretti  
Secretary

A handwritten signature in blue ink, appearing to read "David Gray", written above a horizontal line.

David Gray  
President